



February 28, 2011

BY EMAIL, COURIER AND RESS

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON
M4P 1E4

Dear Ms. Walli,

**RE: Whitby Hydro Electric Corporation
Recovery of Late Payment Class Action Costs
EB- 2010-0295**

In accordance with the Board's Decision dated February 22, 2011, please find attached a draft Tariff of Rates and Charges which include rate riders for recovery of costs associated with the Late Payment Class Action ("LPCA"). The relevant figures and calculation of the LPCA rate riders has been included.

As Whitby Hydro Electric Corporation ("Whitby Hydro") does not currently have an IRM or cost of service application before the Board, the draft Tariff of Rates and Charges identifies an implementation and effective date of May 1, 2011 for the new LPCA rate rider.

Two paper copies and an electronic copy (CD) will follow via courier. A copy has also been filed electronically through the Board's RESS system.

Should you require any further information, please contact me directly.

Respectfully submitted,

Original signed by

Ramona Abi-Rashed
Treasurer

cc: Intervenors of EB-2010-0295 (via email)

Whitby Hydro Electric Corporation
Rate Rider - Recovery of Late Payment Class Action Costs
EB-2010-0295

Approved Recovery Amount 124,544.36

Allocation by Rate Class :

Customer Class	2009 Distribution Revenue (RRR 2.1.5)	%	Proration of Recovery Amount	2009 Customers/ Connections (RRR 2.1.5)	#Recovery months	Rate Rider (Monthly Fixed Charge)*
Residential	11,826,831	66.93%	83,358.13	36,762	12	\$ 0.19 /customer
General Service<50 kW	1,715,967	9.71%	12,094.52	1,926	12	\$ 0.52 /customer
General Service>50 kW	3,766,927	21.32%	26,550.14	435	12	\$ 5.09 /customer
Unmetered Scattered Load (USL)	123,686	0.70%	871.77	390	12	\$ 0.19 /connection
Sentinel Lighting	1,315	0.01%	9.27	34	12	\$ 0.02 /light
Street Lighting	235,595	1.33%	1,660.53	11,371	12	\$ 0.01 /light
MicroFIT Generator	n/a	n/a	n/a	n/a	n/a	n/a
	17,670,321	100.00%	124,544.36			

* Rate Rider to be applied over a twelve month period from May 1, 2011 - April 30, 2012

Whitby Hydro Electric Company

TARIFF OF RATES AND CHARGES

Effective and Implementation Date January 1, 2011

except for the microFIT Generator Class effective date of September 21, 2009
and Rate Rider for Late Payment Class Action Costs effective and implementation
date of May 1, 2011

This schedule supersedes and replaces all previously
approved schedules of Rates, Charges and Loss Factors

EB-2009-0274

RESIDENTIAL SERVICE CLASSIFICATION

This classification refers to detached, semi-detached or freehold townhouse dwelling units. Energy is supplied to residential customers as single phase, three wire, 60 Hertz, having a normal voltage of 120/240 Volts up to a maximum of 600 Amps per dwelling unit. Further servicing details are available in the distributor's Conditions of Service.

APPLICATION

The application of these rates and charges shall be in accordance with the Licence of the Distributor and any Code or Order of the Board, and amendments thereto as approved by the Board, which may be applicable to the administration of this schedule.

No rates and charges for the distribution of electricity and charges to meet the costs of any work or service done or furnished for the purpose of the distribution of electricity shall be made except as permitted by this schedule, unless required by the Distributor's Licence or a Code or Order of the Board, and amendments thereto as approved by the Board, or as specified herein.

Unless specifically noted, this schedule does not contain any charges for the electricity commodity, be it under the Regulated Price Plan, a contract with a retailer or the wholesale market price, as applicable.

It should be noted that this schedule does not list any charges or assessments that are required by law to be charged by a distributor and that are not subject to Board approval, such as the Debt Retirement Charge, charges for Ministry of Energy Conservation and Renewable Energy Program, the Provincial Benefit and any applicable taxes.

MONTHLY RATES AND CHARGES – Delivery Component

Service Charge	\$	17.24
Smart Meter Funding Adder	\$	2.13
Rate Rider for Late Payment Class Action Costs – effective until April 30, 2012	\$	0.19
Distribution Volumetric Rate	\$/kWh	0.0141
Rate Rider for Deferral/Variance Account Disposition (2010) – effective until December 31, 2014	\$/kWh	(0.0017)
Rate Rider for Lost Revenue Adjustment Mechanism (LRAM) Recovery – effective until December 31, 2012	\$/kWh	0.0005
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0066
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0055

MONTHLY RATES AND CHARGES – Regulatory Component

Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Whitby Hydro Electric Company

TARIFF OF RATES AND CHARGES

Effective and Implementation Date January 1, 2011

except for the microFIT Generator Class effective date of September 21, 2009
and Rate Rider for Late Payment Class Action Costs effective and implementation
date of May 1, 2011

This schedule supersedes and replaces all previously
approved schedules of Rates, Charges and Loss Factors

EB-2009-0274

GENERAL SERVICE LESS THAN 50 kW SERVICE CLASSIFICATION

This classification applies to a non residential account whose average monthly maximum demand is less than, or is forecast to be less than, 50 kW, shall include small apartment buildings and smaller commercial, industrial, and institutional developments. Further servicing details are available in the distributor's Conditions of Service.

APPLICATION

The application of these rates and charges shall be in accordance with the Licence of the Distributor and any Code or Order of the Board, and amendments thereto as approved by the Board, which may be applicable to the administration of this schedule.

No rates and charges for the distribution of electricity and charges to meet the costs of any work or service done or furnished for the purpose of the distribution of electricity shall be made except as permitted by this schedule, unless required by the Distributor's Licence or a Code or Order of the Board, and amendments thereto as approved by the Board, or as specified herein.

Unless specifically noted, this schedule does not contain any charges for the electricity commodity, be it under the Regulated Price Plan, a contract with a retailer or the wholesale market price, as applicable.

It should be noted that this schedule does not list any charges or assessments that are required by law to be charged by a distributor and that are not subject to Board approval, such as the Debt Retirement Charge, charges for Ministry of Energy Conservation and Renewable Energy Program, the Provincial Benefit and any applicable taxes.

MONTHLY RATES AND CHARGES – Delivery Component

Service Charge	\$	19.80
Smart Meter Funding Adder	\$	2.13
Rate Rider for Late Payment Class Action Costs – effective until April 30, 2012	\$	0.52
Distribution Volumetric Rate	\$/kWh	0.0194
Rate Rider for Deferral/Variance Account Disposition (2010) – effective until December 31, 2014	\$/kWh	(0.0018)
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0060
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0050

MONTHLY RATES AND CHARGES – Regulatory Component

Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Whitby Hydro Electric Company

TARIFF OF RATES AND CHARGES

Effective and Implementation Date January 1, 2011

except for the microFIT Generator Class effective date of September 21, 2009
and Rate Rider for Late Payment Class Action Costs effective and implementation
date of May 1, 2011

This schedule supersedes and replaces all previously
approved schedules of Rates, Charges and Loss Factors

EB-2009-0274

GENERAL SERVICE 50 to 4,999 kW SERVICE CLASSIFICATION

This classification applies to a non residential account whose average monthly maximum demand used for billing purposes is equal to or greater than, or is forecast to be equal to or greater than, 50 kW but less than 5,000 kW and includes apartment buildings, and commercial, industrial, and institutional developments. Further servicing details are available in the distributor's Conditions of Service.

APPLICATION

The application of these rates and charges shall be in accordance with the Licence of the Distributor and any Code or Order of the Board, and amendments thereto as approved by the Board, which may be applicable to the administration of this schedule.

No rates and charges for the distribution of electricity and charges to meet the costs of any work or service done or furnished for the purpose of the distribution of electricity shall be made except as permitted by this schedule, unless required by the Distributor's Licence or a Code or Order of the Board, and amendments thereto as approved by the Board, or as specified herein.

Unless specifically noted, this schedule does not contain any charges for the electricity commodity, be it under the Regulated Price Plan, a contract with a retailer or the wholesale market price, as applicable.

It should be noted that this schedule does not list any charges or assessments that are required by law to be charged by a distributor and that are not subject to Board approval, such as the Debt Retirement Charge, charges for Ministry of Energy Conservation and Renewable Energy Program, the Provincial Benefit and any applicable taxes.

MONTHLY RATES AND CHARGES – Delivery Component

Service Charge	\$	191.34
Smart Meter Funding Adder	\$	2.13
Rate Rider for Late Payment Class Action Costs – effective until April 30, 2012	\$	5.09
Distribution Volumetric Rate	\$/kW	3.9178
Rate Rider for Deferral/Variance Account Disposition (2010) – effective until December 31, 2014	\$/kW	(0.6875)
Rate Rider for Lost Revenue Adjustment Mechanism (LRAM) Recovery – effective until December 31, 2012	\$/kW	0.0153
Retail Transmission Rate – Network Service Rate	\$/kW	2.4275
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.9420

MONTHLY RATES AND CHARGES – Regulatory Component

Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Whitby Hydro Electric Company

TARIFF OF RATES AND CHARGES

Effective and Implementation Date January 1, 2011

except for the microFIT Generator Class effective date of September 21, 2009
and Rate Rider for Late Payment Class Action Costs effective and implementation
date of May 1, 2011

This schedule supersedes and replaces all previously
approved schedules of Rates, Charges and Loss Factors

EB-2009-0274

UNMETERED SCATTERED LOAD SERVICE CLASSIFICATION

This classification applies to an account whose average monthly maximum demand is less than, or is forecast to be less than, 50 kW and the consumption is unmetered. Such connections include cable TV power packs, bus shelters, telephone booths, traffic lights, railway crossings, decorative lighting, billboards, etc. The level of the consumption will be agreed to by the distributor and the customer, based on detailed manufacturer information/documentation with regard to electrical consumption of the unmetered load or periodic monitoring of actual consumption. Further servicing details are available in the distributor's Conditions of Service.

APPLICATION

The application of these rates and charges shall be in accordance with the Licence of the Distributor and any Code or Order of the Board, and amendments thereto as approved by the Board, which may be applicable to the administration of this schedule.

No rates and charges for the distribution of electricity and charges to meet the costs of any work or service done or furnished for the purpose of the distribution of electricity shall be made except as permitted by this schedule, unless required by the Distributor's Licence or a Code or Order of the Board, and amendments thereto as approved by the Board, or as specified herein.

Unless specifically noted, this schedule does not contain any charges for the electricity commodity, be it under the Regulated Price Plan, a contract with a retailer or the wholesale market price, as applicable.

It should be noted that this schedule does not list any charges or assessments that are required by law to be charged by a distributor and that are not subject to Board approval, such as the Debt Retirement Charge, charges for Ministry of Energy Conservation and Renewable Energy Program, the Provincial Benefit and any applicable taxes.

MONTHLY RATES AND CHARGES – Delivery Component

Service Charge (per connection)	\$	9.28
Rate Rider for Late Payment Class Action Costs – effective until April 30, 2012 (per connection)	\$	0.19
Distribution Volumetric Rate	\$/kWh	0.0302
Rate Rider for Deferral/Variance Account Disposition (2010) – effective until December 31, 2014	\$/kWh	(0.0018)
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0060
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0050

MONTHLY RATES AND CHARGES – Regulatory Component

Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Whitby Hydro Electric Company

TARIFF OF RATES AND CHARGES

Effective and Implementation Date January 1, 2011

except for the microFIT Generator Class effective date of September 21, 2009
and Rate Rider for Late Payment Class Action Costs effective and implementation
date of May 1, 2011

This schedule supersedes and replaces all previously
approved schedules of Rates, Charges and Loss Factors

EB-2009-0274

SENTINEL LIGHTING SERVICE CLASSIFICATION

This classification refers to accounts that are an unmetered lighting load supplied to a sentinel light. Further servicing details are available in the distributor's Conditions of Service.

APPLICATION

The application of these rates and charges shall be in accordance with the Licence of the Distributor and any Code or Order of the Board, and amendments thereto as approved by the Board, which may be applicable to the administration of this schedule.

No rates and charges for the distribution of electricity and charges to meet the costs of any work or service done or furnished for the purpose of the distribution of electricity shall be made except as permitted by this schedule, unless required by the Distributor's Licence or a Code or Order of the Board, and amendments thereto as approved by the Board, or as specified herein.

Unless specifically noted, this schedule does not contain any charges for the electricity commodity, be it under the Regulated Price Plan, a contract with a retailer or the wholesale market price, as applicable.

It should be noted that this schedule does not list any charges or assessments that are required by law to be charged by a distributor and that are not subject to Board approval, such as the Debt Retirement Charge, charges for Ministry of Energy Conservation and Renewable Energy Program, the Provincial Benefit and any applicable taxes.

MONTHLY RATES AND CHARGES – Delivery Component

Service Charge (per light)	\$	4.05
Rate Rider for Late Payment Class Action Costs – effective until April 30, 2012 (per light)	\$	0.02
Distribution Volumetric Rate	\$/kW	10.9830
Rate Rider for Deferral/Variance Account Disposition (2010) – effective until December 31, 2014	\$/kW	(0.4912)
Retail Transmission Rate – Network Service Rate	\$/kW	1.8401
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.5328

MONTHLY RATES AND CHARGES – Regulatory Component

Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Whitby Hydro Electric Company

TARIFF OF RATES AND CHARGES

Effective and Implementation Date January 1, 2011

except for the microFIT Generator Class effective date of September 21, 2009
and Rate Rider for Late Payment Class Action Costs effective and implementation
date of May 1, 2011

This schedule supersedes and replaces all previously
approved schedules of Rates, Charges and Loss Factors

EB-2009-0274

STREET LIGHTING SERVICE CLASSIFICATION

This classification relates to the supply of power for street lighting installations. Street lighting design and installations shall be in accordance with the requirements of Whitby Hydro, Town of Whitby specifications and ESA. The Town of Whitby retains ownership of the street lighting system on municipal roadways. Further servicing details are available in the distributor's Conditions of Service.

APPLICATION

The application of these rates and charges shall be in accordance with the Licence of the Distributor and any Code or Order of the Board, and amendments thereto as approved by the Board, which may be applicable to the administration of this schedule.

No rates and charges for the distribution of electricity and charges to meet the costs of any work or service done or furnished for the purpose of the distribution of electricity shall be made except as permitted by this schedule, unless required by the Distributor's Licence or a Code or Order of the Board, and amendments thereto as approved by the Board, or as specified herein.

Unless specifically noted, this schedule does not contain any charges for the electricity commodity, be it under the Regulated Price Plan, a contract with a retailer or the wholesale market price, as applicable.

It should be noted that this schedule does not list any charges or assessments that are required by law to be charged by a distributor and that are not subject to Board approval, such as the Debt Retirement Charge, charges for Ministry of Energy Conservation and Renewable Energy Program, the Provincial Benefit and any applicable taxes.

MONTHLY RATES AND CHARGES – Delivery Component

Service Charge (per light)	\$	1.36
Rate Rider for Late Payment Class Action Costs – effective until April 30, 2012 (per light)	\$	0.01
Distribution Volumetric Rate	\$/kW	5.4070
Rate Rider for Deferral/Variance Account Disposition (2010) – effective until December 31, 2014	\$/kW	(0.7408)
Retail Transmission Rate – Network Service Rate	\$/kW	1.8307
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.5013

MONTHLY RATES AND CHARGES – Regulatory Component

Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Whitby Hydro Electric Company
TARIFF OF RATES AND CHARGES
Effective and Implementation Date January 1, 2011
except for the microFIT Generator Class effective date of September 21, 2009
and Rate Rider for Late Payment Class Action Costs effective and implementation
date of May 1, 2011

**This schedule supersedes and replaces all previously
approved schedules of Rates, Charges and Loss Factors**

EB-2009-0274

microFIT GENERATOR SERVICE CLASSIFICATION

This classification applies to an electricity generation facility contracted under the Ontario Power Authority's microFIT program and connected to the distributor's distribution system. Further servicing details are available in the distributor's Conditions of Service.

APPLICATION

The application of these rates and charges shall be in accordance with the Licence of the Distributor and any Code or Order of the Board, and amendments thereto as approved by the Board, which may be applicable to the administration of this schedule.

No rates and charges for the distribution of electricity and charges to meet the costs of any work or service done or furnished for the purpose of the distribution of electricity shall be made except as permitted by this schedule, unless required by the Distributor's Licence or a Code or Order of the Board, and amendments thereto as approved by the Board, or as specified herein.

Unless specifically noted, this schedule does not contain any charges for the electricity commodity, be it under the Regulated Price Plan, a contract with a retailer or the wholesale market price, as applicable.

It should be noted that this schedule does not list any charges or assessments that are required by law to be charged by a distributor and that are not subject to Board approval, such as the Debt Retirement Charge, charges for Ministry of Energy Conservation and Renewable Energy Program, the Provincial Benefit and any applicable taxes.

MONTHLY RATES AND CHARGES – Delivery Component – effective September 21, 2009

Service Charge	\$	5.25
----------------	----	------

Whitby Hydro Electric Company

TARIFF OF RATES AND CHARGES

Effective and Implementation Date January 1, 2011

except for the microFIT Generator Class effective date of September 21, 2009
and Rate Rider for Late Payment Class Action Costs effective and implementation
date of May 1, 2011

This schedule supersedes and replaces all previously
approved schedules of Rates, Charges and Loss Factors

EB-2009-0274

ALLOWANCES

Transformer Allowance for Ownership - per kW of billing demand/month	\$/kW	(0.60)
Primary Metering Allowance for transformer losses – applied to measured demand and energy	%	(1.00)

SPECIFIC SERVICE CHARGES

APPLICATION

The application of these rates and charges shall be in accordance with the Licence of the Distributor and any Code or Order of the Board, and amendments thereto as approved by the Board, which may be applicable to the administration of this schedule.

No charges to meet the costs of any work or service done or furnished for the purpose of the distribution of electricity shall be made except as permitted by this schedule, unless required by the Distributor's Licence or a Code or Order of the Board, and amendments thereto as approved by the Board, or as specified herein.

It should be noted that this schedule does not list any charges or assessments that are required by law to be charged by a distributor and that are not subject to Board approval, such as the Debt Retirement Charge, charges for Ministry of Energy Conservation and Renewable Energy Program, the Provincial Benefit and any applicable taxes

Customer Administration

Arrears certificate	\$	15.00
Statement of Account	\$	15.00
Pulling post dated cheques	\$	15.00
Easement Letter	\$	15.00
Account history	\$	15.00
Credit reference/credit check (plus credit agency costs)	\$	15.00
Account set up charge/change of occupancy charge (plus credit agency costs if applicable)	\$	30.00
Returned cheque charge (plus bank charges)	\$	15.00
Special meter reads	\$	30.00
Meter dispute charge plus Measurement Canada fees (if meter found correct)	\$	30.00
Legal letter charge	\$	15.00

Non-Payment of Account

Late Payment - per month	%	1.50
Late Payment - per annum	%	19.56
Collection of account charge – no disconnection	\$	30.00
Collection of account charge – no disconnection after regular hours	\$	165.00
Disconnect/Reconnect Charge at meter – during regular Hours	\$	65.00
Disconnect/Reconnect Charge at meter – after regular hours	\$	185.00
Disconnect/Reconnect Charge at pole – during regular hours	\$	185.00
Disconnect/Reconnect Charge at pole – after hours	\$	415.00

Install/Remove load control device – during regular hours	\$	65.00
Install/Remove load control device – after regular hours	\$	185.00
Service call – customer-owned equipment	\$	30.00
Service call – after regular hours	\$	165.00
Temporary service install & remove – overhead – no transformer	\$	500.00
Temporary service install & remove – underground – no transformer	\$	300.00
Temporary service install & remove – overhead – with transformer	\$	1,000.00
Specific Charge for Access to the Power Poles – per pole/year	\$	22.35

Whitby Hydro Electric Company

TARIFF OF RATES AND CHARGES

Effective and Implementation Date January 1, 2011

except for the microFIT Generator Class effective date of September 21, 2009
and Rate Rider for Late Payment Class Action Costs effective and implementation
date of May 1, 2011

This schedule supersedes and replaces all previously
approved schedules of Rates, Charges and Loss Factors

EB-2009-0274

RETAIL SERVICE CHARGES (if applicable)

APPLICATION

The application of these rates and charges shall be in accordance with the Licence of the Distributor and any Code or Order of the Board, and amendments thereto as approved by the Board, which may be applicable to the administration of this schedule.

No rates and charges for the distribution of electricity and charges to meet the costs of any work or service done or furnished for the purpose of the distribution of electricity shall be made except as permitted by this schedule, unless required by the Distributor's Licence or a Code or Order of the Board, and amendments thereto as approved by the Board, or as specified herein.

Unless specifically noted, this schedule does not contain any charges for the electricity commodity, be it under the Regulated Price Plan, a contract with a retailer or the wholesale market price, as applicable.

It should be noted that this schedule does not list any charges or assessments that are required by law to be charged by a distributor and that are not subject to Board approval, such as the Debt Retirement Charge, charges for Ministry of Energy and Infrastructure Conservation and Renewable Energy Program, the Provincial Benefit and any applicable taxes.

Retail Service Charges refer to services provided by a distributor to retailers or customers related to the supply of competitive electricity

One-time charge, per retailer, to establish the service agreement between the distributor and the retailer	\$	100.00
Monthly Fixed Charge, per retailer	\$	20.00
Monthly Variable Charge, per customer, per retailer	\$/cust.	0.50
Distributor-consolidated billing - monthly charge per customer, per retailer	\$/cust.	0.30
Retailer-consolidated billing – monthly credit, per customer, per retailer	\$/cust.	(0.30)
Service Transaction Requests (STR)		
Request fee, per request, applied to the requesting party	\$	0.25
Processing fee, per request, applied to the requesting party	\$	0.50
Request for customer information as outlined in Section 10.6.3 and Chapter 11 of the Retail Settlement Code directly to retailers and customers, if not delivered electronically through the Electronic Business Transaction (EBT) system, applied to the requesting party		
Up to twice a year		no charge
More than twice a year, per request (plus incremental delivery costs)	\$	2.00

LOSS FACTORS

If the distributor is not capable of prorating changed loss factors jointly with distribution rates, the revised loss factors will be implemented upon the first subsequent billing for each billing cycle.

Total Loss Factor – Secondary Metered Customer < 5,000 kW	1.0454
Total Loss Factor – Primary Metered Customer < 5,000 kW	1.0349